## **BOEHM, KURTZ & LOWRY**

ATTORNEYS AT LAW 36 EAST SEVENTH STREET SUITE 1510 CINCINNATI, OHIO 45202 TELEPHONE (513) 421-2255

TELECOPIER (513) 421-2764



## **VIA OVERNIGHT MAIL**

October 14, 2005

Beth A. O'Donnell, Executive Director Kentucky Public Service Commission 211 Sower Boulevard Frankfort, Kentucky 40602

Re:

Case No. 2005-00352

Dear Ms. O'Donnell:

Please find enclosed the original and twelve (12) copies of Petition to Intervene of Kentucky Industrial Utility Customers, Inc. filed in the above-referenced matter.

By copy of this letter, all parties listed on the attached Certificate of Service been served. Please place this document of file.

Very Truly Yours,

David F. Boehm, Esq. Michael L. Kurtz, Esq.

**BOEHM, KURTZ & LOWRY** 

Michael & Knots

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Certificate of Service A. W. Turner, Esq.

## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served by mailing a true and correct copy, by overnight mail (unless otherwise noted) to all parties on the 14<sup>th</sup> day of October, 2005.

Kent W. Blake
Director State Regulations and Rates
Louisville Gas and Electric Company
220 W. Main Street
P. O. Box 32010
Louisville, KY 40232-2010
kent.blake@lgeenergy.com

Honorable Elizabeth L. Cocanougher Senior Corporate Attorney Louisville Gas and Electric Company 220 W. Main Street P. O. Box 32010 Louisville, KY 40232-2010

Honorable Kendrick R. Riggs Attorney at Law Ogden, Newell & Welch, PLLC 1700 PNC Plaza 500 West Jefferson Street Louisville, KY 40202-2874 kriggs@ogdenlaw.com

David F. Boehm, Esq. Michael L. Kurtz, Esq.

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## COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

In The Matter Of: The Plan of Louisville Gas and Electric Company for : Case No. 2005-00352 the Value Delivery Surcredit Mechanism :

PETITION TO INTERVENE OF KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.

Pursuant to K.R.S. §278.310 and 807 KAR 5:001 Section 3(8), Kentucky Industrial Utility Customers, Inc. ("KIUC") requests that it be granted full intervenor status in the above-captioned proceeding and states in support thereof as follows:

- 1. KIUC is an association of the largest electric and gas public utility customers in Kentucky. The purpose of KIUC is to represent the industrial viewpoint on energy and utility issues before this Commission and before all other appropriate governmental bodies. The members of KIUC who purchase electricity from Louisville Gas & Electric Company ("LG&E") and who will participate herein are: Carbide Graphite Group Inc., E.I. DuPont Ford Motor Company, Kosmos Cement Company and Rohm & Haas Kentucky, Inc. KIUC will supplement its Petition with the names of additional participating members as this information becomes known.
- 2. The matters being decided by the Commission in this case may have a significant impact on the rates paid by KIUC for electricity. Electricity represents a significant cost of doing business for KIUC. The attorneys for KIUC authorized to represent them in this proceeding and to take service of all documents are:

David F. Boehm, Esq. Michael L. Kurtz, Esq. BOEHM, KURTZ & LOWRY 36 East Seventh Street, Suite 1510 Cincinnati, Ohio 45202

Ph: 513-421-2255 Fax: 513-421-2764 E-Mail: KIUC@BKLlawfirm.com

3. The position of KIUC cannot be adequately represented by any existing party. KIUC intends to play a constructive role in the Commission's decision making process herein and KIUC's participation will not unduly prejudice any party.

WHEREFORE, KIUC requests that it be granted full intervenor status in the above captioned proceeding.

Respectfully submitted,

David F. Boehm, Esq. Michael L. Kurtz, Esq.

BOEHM, KURTZ & LOWRY 36 East Seventh Street, Suite 1510

Cincinnati, Ohio 45202

Ph: (513) 421-2255 Fax: (513) 421-2764

E-Mail: KIUC@BKLlawfirm.com

COUNSEL FOR KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.

October 14, 2005